

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1319

IN THE MATTER OF:

Application of VERNON FRANKLIN) Served: April 11, 1974
for Authority to Increase Fares))
) Application No. 830
))
) Docket No. 261

By motion to dismiss, filed April 5, 1974, counsel for Vernon Franklin requests the Commission to dismiss without prejudice Franklin's Application No. 830 for authority to increase rates and charges and for withdrawal of Franklin's proposed WMATC Tariff No. 3 leaving in effect Franklin's current WMATC Tariff No. 2.

By Order No. 1311, served March 18, 1974, Franklin's proposed WMATC Tariff No. 3, filed February 25, 1974, was suspended, effective March 25, 1974, for a period of 90 days through June 23, 1974, unless otherwise ordered. A hearing on Application No. 830 was scheduled to commence April 16, 1974.

Counsel states that Vernon Franklin filed the proposed tariff without benefit of counsel and without knowledge of the fact that the matter might be set for hearing and the various requirements of the Commission in the event a hearing was scheduled. Counsel indicates that Vernon Franklin is unable to comply with the various requirements of the Commission's Order No. 1311 at this time. According to the motion, Vernon Franklin believes that the most desirable approach is to request dismissal of the application without prejudice to the right to latter file for increased fares.

The Commission agrees that the application should be dismissed and that the proposed WMATC Tariff No. 3 should be withdrawn.

THEREFORE, IT IS ORDERED:

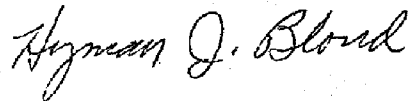
1. That the motion to dismiss Application No. 830 of Vernoy Franklin and the request to withdraw proposed WMATC Tariff No. 3 be, and they are hereby, granted.

2. That Application No. 830 of Vernoy Franklin for approval of WMATC Tariff No. 3 be, and it is hereby, dismissed without prejudice to the carrier filing a new application.

3. That withdrawal of Vernoy Franklin's proposed WMATC Tariff No. 3, suspended by Order No. 1311, served March 18, 1974, for a period of 90 days through Sunday, June 23, 1974, be, and it is hereby, approved.

4. That the hearing scheduled for April 16, 1974, by Order No. 1311, served March 18, 1974, be, and it is hereby, cancelled.

BY DIRECTION OF THE COMMISSION:



HYMAN J. BLOND
Executive Director